

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rutheron & Plaza Blanca

MOTION FOR DEFAULT JUDGMENT

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendants:

William N. Melton	CHRU-001-0003, CHRU-002-0001, CHRU-004-0027
Louise W. Pape	CHRU-001-0003, CHRU-002-0001, CHRU-004-0027
William R. Pape	CHRU-001-0003, CHRU-002-0001, CHRU-004-0027
Tony H. Martinez	CHRU-004-0019
Della M. Martinez	CHRU-004-0019
The Katchina Trust	CHRU-004-0030
Linda DeMill	CHRU-004-0037

and as grounds therefore plaintiff states:

1. The Court has jurisdiction over the above-named defendants as shown by waivers of service of summons William N. Melton (Doc. No. 6774), Louise W. Pape (Doc. No. 6774), William R. Pape (Doc. No. 6774), Tony H. Martinez (Doc. No. 6774), Della M. Martinez (Doc. No. 6774),

The Katchina Trust (Doc. No. 6774) and Linda DeMill (Doc. No. 6774).

2. The defendants named above are in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed January 18, 2005 (Doc. No. 7715).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendants incorporating the terms of the State's proposed consent orders and in conformance with the April 30, 2002 Rio Chama Hydrographic Survey for Section 7, Rutheron & Plaza Blanca.

Respectfully submitted,

/s/ Ed Newville

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CERTIFICATE OF SERVICE

I hereby certify that copies of the above Motion for Default Judgment were mailed to following persons on May 27, 2005.

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